

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.

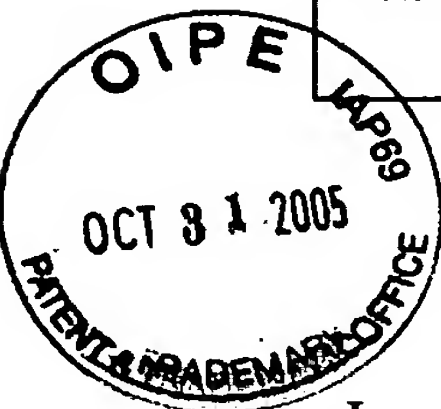
Dated: October 27, 2005

Signature:

David A. Gass
(David A. Gass)

Docket No.: 19036/36614A

1645
IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Nobutaka Wakamiya)
Serial No.: 10/054,536)
Filed: January 22, 2002)
Title: Recombinant Human Mannan-)
Binding Protein and Producing Method)
of the Same)
Group Art Unit: 1645)
Examiner: Devi, Sarvamangala J. N.)
Attorney Docket No. 19036/36614A)

REQUEST FOR CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

The applicants filed the attached information disclosure statement on April 23, 2002, together with copies of documents "C27" and "C28". Copies of these documents also are attached hereto. As evinced by the photocopy of the applicant's postcard receipt, the U.S. Patent and Trademark Office received this information disclosure statement on April 26, 2002. However, it does not appear that the examiner ever considered the documents cited in the information disclosure statement. Moreover, it does not appear that the information disclosure statement is part of the "image file wrapper" for the application.

Because the information disclosure statement was timely filed, the applicant's request consideration of the information disclosure statement at this time by the examiner. (See 37 CFR 1.97(b) ("An information disclosure statement shall be considered by the office...(emphasis added).)

Application No.: 10/054,536

Docket No.: 19036/36614A

Copies of those documents that are not supplied herewith were supplied or made of record in the parent application.

Dated: October 27, 2005

Respectfully submitted,

By 

David A. Gass

Registration No.: 38,153

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorneys for Applicants

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

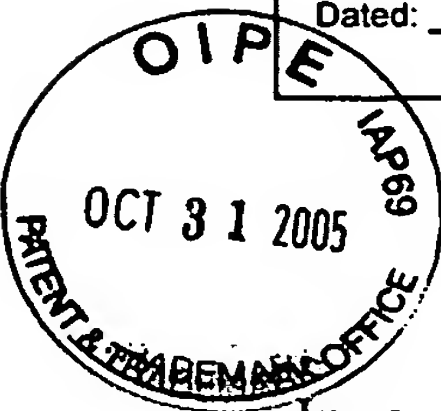
Dated:

4/23/02

Signature:

(Name of Signer)

Docket No.: 19036/36614A
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nobutaka Wakamiya

Group Art Unit: 1645

Application No.: 10/054,536

Examiner: S. Devi

Filed: January 22, 2002

For: Recombinant Human Mannan-Binding Proteins and Producing Method of The Same

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO/SB/08 (facsimile) are not supplied because they were previously cited by or submitted to the Office in a prior application no. 09/600,950, filed July 24, 2000 and relied upon in this application for an earlier filing date under 35 U.S.C. 120. Copies of Document Nos. C27 and C28 are enclosed.

A concise explanation of relevance of the items listed on form PTO/SB/08 is:

☒ [X] not given

☐ [] given for each listed item

☐ given for only non-English language listed items

☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Dated: April 23, 2002

Respectfully submitted,

By 

Mark H. Hopkins, Ph.D.

Registration No.: 44,775

Attorneys for Applicant
Marshall, Gerstein & Borun
6300 Sears Tower
233 S. Wacker Drive
Chicago, Illinois 60606
Telephone: 312/474-6300
Facsimile: 312/474-0448

The Patent Office is hereby requested to acknowledge receipt
of the following papers by stamping and returning this card.

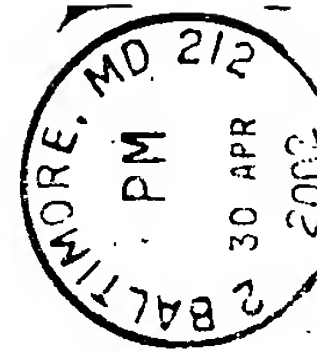
Wakamiya, N.
10/054,536

Information Disclosure Statement w/Form
PTO-1449 w/ 2 Other

w/certificate of mailing dated April 23, 2002



BEST AVAILABLE COPY



RECEIVED MARSHALL, GERSTEIN & BORUN

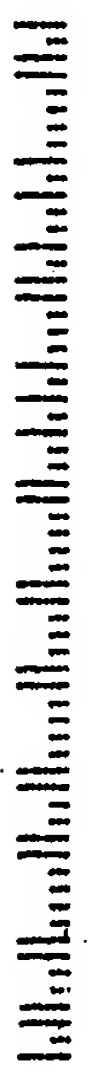
6300 SEARS TOWER

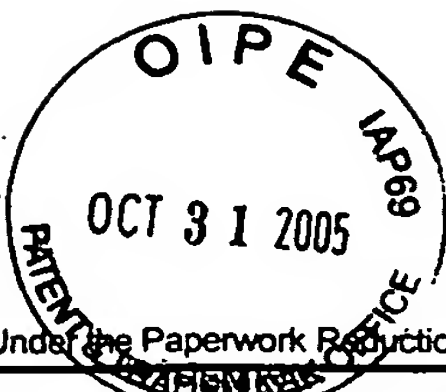
MAY 06 2002

233 SOUTH WACKER DRIVE

CHICAGO, ILLINOIS 60606-6357

ARSHALL GERSTEIN





PTO/SB/08A (10-01)

Approved for use through 10/31/2002.OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/054,536
				Filing Date	January 22, 2002
				First Named Inventor	Nobutaka Wakamiya
				Art Unit	1645
				Examiner Name	S. Devi
Sheet	1	of	2	Attorney Docket Number	19036/36614A

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1*	5,270,199	12/14/93	Ezekowitz	

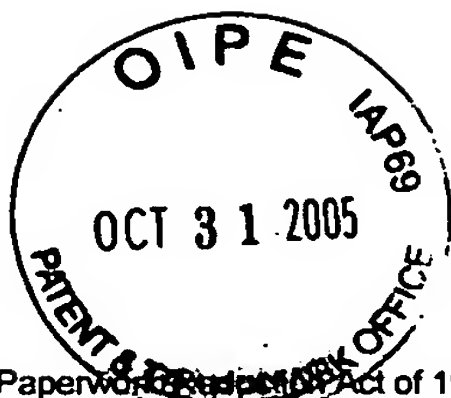
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	B1*	WO 8901519	02/23/89			
	B2*	JP 2-504581 based on WO 8901519(Japanese with English Abstract translation)				✓
	B3*	WO 98/55614	12/10/98			

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1*	Epstein, et al., "The collectins in innate immunity," <i>Current Opinion in Immunology</i> , 8:29-35 (1996).	
	C2*	Ezekowitz, R.A.B. et al.; "A Human Mannose-binding Protein is an acute-phase Reactant that Shares Sequence Homology with Other Vertebrate Lectins," <i>J. Exp. Med.</i> , 167:1034-1046 (March, 1988).	
	C3*	Ezekowitz, R.A.B. et al., "Mannose-binding protein and susceptibility to chronic hepatitis B infection," <i>The Lancet</i> , 348:1396-1397 (November, 1996).	
	C4*	Fujita, T., "Complement activation and Lectin Pathway," <i>Rinsho-Meneki</i> , 29(3):405-410 (1997). (Japanese with English abstract translation)	✓
	C5*	Garred, et al., "Susceptibility to HIV infection and progression of AIDS in relation to variant alleles of mannose-binding lectin,," <i>The Lancet</i> , 349:236-240 (January, 1997).	
	C6*	Kawai, et al., "Cloning and characterization of a cDNA encoding bovine mannan-binding protein," <i>Gene</i> , 186(2):161-165 (February, 1997).	
	C7*	Kurata, H., "Structure and Function of Mannan-Binding Proteins Isolated from Human Liver and Serum," <i>J. Biochem.</i> , 115(6):1148-1154 (1994).	
	C8*	Lim, et al., "Primary Structure of Bovine Collectin-43 (CL-43) Comparison with conglutinin and lung surfactant protein-D," <i>J. Biol. Chem.</i> , 269(16):11820-11824 (April, 1994).	
	C9*	Lipscombe, et al., "Mutations in the Human Mannose-Binding Gene: Frequencies in several population groups," <i>European Journal of Human Genetics</i> , 4(1):13-19 (1996).	
	C10*	Lu, et al., "Purification, characterization and cDNA cloning of human lung surfactant protein D," <i>Biochem. J.</i> , 284:795-802 (1992).	
	C11*	Malhortra, et al., "Interaction of C1q receptor with lung surfactant protein A", <i>Eur. J. Immun.</i> , 22:1437-1445 (1992).	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/08B (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Project Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/054,536		
		Filing Date	January 22, 2002		
		First Named Inventor	Nobutaka Wakamiya		
		Group Art Unit	1645		
		Examiner Name	S. Devi		
Sheet	2	of	2	Attorney Docket Number	19036/36614A

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	C12*	Malhortra, et al., "Glycosylation changes of IgG associated with rheumatoid arthritis can activate complement via the mannose-binding protein," <i>Nature Medicine</i> , 1(3): 237-243 (March, 1995).
	C13*	Matsuda, et al., "Involvement of Mannan Binding Protein with crisis and progression of IgA nephrosis," <i>Journal of Nephrology Association of Japan</i> , 39(3):235 (1997). (Japanese with English abstract translation) ✓
	C14*	Nepomuceno, et al., "cDNA Cloning and Primary Structure Analysis of ClqR _p , the Human C11/MBL/SPA Receptor That Mediates Enhanced Phagocytosis <i>in Vitro</i> ," <i>Immunity</i> , 6(2):119-129 (February, 1997)
	C15*	Sastry, et al., "The Human Mannose-binding Protein Gene: Exon Structure Reveals its Evolutionary Relationship to a Human Pulmonary Surfactant Gene and Localization to Chromosome 10," <i>J. Exp. Med.</i> , 170:1175-1189 (October, 1989).
	C16*	Sumiya, et al., "Molecular basis of opsonic defect in immunodeficient children," <i>Lancet</i> , 337:1569-1570 (June, 1991).
	C17*	Sumiya, et al., "Mannose-binding protein, genetic variant and the risk of infection," <i>Q. J. Med.</i> , 89:723-726 (1996).
	C18*	Super, et al., "Association of Low Levels of Mannan-binding Protein with a Common Defect of Opsonisation," <i>Lancet</i> , 2: 1236-1239 (November, 1989)
	C19*	Suzuki et al., "Cloning and Sequencing of a cDNA Coding for Bovine Conglutinin," <i>Biochem Biophys Res Commun</i> , 191/2, 335-342 (1993).
	C20*	Suzuki et al., "Characterization of Recombinant Bovine Conglutinin Expressed in a Mammalian Cell," <i>Biochem Biophys Res Commun</i> , 238, 856-863 (1997).
	C21*	Taylor, et al., "Structure and evolutionary origin of the gene encoding a human serum mannose-binding protein," <i>Biochem J.</i> , 262: 763-771 (1989).
	C22*	Thomas, et al., "Mutation of gene for mannose-binding protein associated with chronic hepatitis B viral infection," <i>Lancet</i> , 348: 14176-1419 (November, 1996).
	C23*	Uemura, et al., "Correlation Between Structure and Function of Calcium Dependence Animal Lectin on Host Defense," <i>Jikken-Igaku</i> , 13(18) (1995). (Japanese with English abstract translation) ✓
	C24*	Wakamiya, et al., "The Mannose Binding Protein and Conglutinin in Bovine Serum Have an Antiviral Activity Against Influenza Virus," <i>Glycoconjugate Journal</i> , 8:235 (1991).
	C25*	Wakamiya, et al., "Isolation and Characterization of Conglutinin as an Influenza A Virus Inhibitor," <i>Biochem. Biophys. Res. Comm.</i> , 187: 1270-1278 (September, 1992).
	C26*	Wakamiya, et al., "Anti-Viral Activity by Collectin," <i>Rinsho-Meneki</i> , 29(4): 508-513 (1997). (Japanese with English abstract translation) ✓
	C27*	Eda, et al., "Characterization of Truncated Human Mannan-Binding Protein (MBP) Expressed in <i>Escherichia coli</i> ," <i>Biosci. Biotechnol. Biochem.</i> , 62(7): 1326-1331 (1998).
	C28	Ma, et al., "Functional Expression of Human Mannan-Binding Proteins (MBPs) in Human Hepatoma Cell Lines Infected by Recombinant Vaccinia Virus: Post-Translational Modification, Molecular Assembly, and Differentiation of Serum and Liver MBP," <i>J. Biochem.</i> 122:810-818 (1997).
Examiner Signature		Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.